



Docket No. PHUS-58

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:  
VERGEZ, J.A. et al.  
Serial No.: 09/992,488  
Filed: 11/06/2001

Group Art Unit: 1616  
Examiner: N/A

COPY OF PAPERS  
ORIGINALLY FILED

For: Pharmaceutical compositions containing oxybutynin

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231 on March 11, 2002.	
_____ Rick Matos	_____ Typed or printed name of person mailing paper
_____ Signature of person mailing paper	

**TRANSMITTAL  
AND  
RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

In response to the Notice mailed December 19, 2001, Applicants submit the following documents: 1) executed Combined Declaration and Power of Attorney; 2) Preliminary Amendment including marked-up and clean versions of the specification and claims; 3) a check in the amount of (\$3,262.00) in payment of the basic filing fee (\$740), additional claim fee (\$2,392.00), and surcharge fee (\$130); 4) return copy of the Notice; and 5) a return postcard.

Applicants note that the total filing fee due has been reduced. The preliminary amendment enclosed herewith includes a cancellation of claims 49-63, 75-105, and 123-132. A claim tree for the claims after entry of the Preliminary Amendment is attached hereto. The filing fee has been calculated as follows.

FOR	NO. FILED	NO. EXTRA	RATE	LARGE ENTITY FEE
Basic Fee				\$740.00
Total Claims	128 — 20	108	x \$18.00	\$1,944.00
Independent Claims	5 — 3	2	x \$84.00	\$168.00
Multiple Dependent Claims	X	--	+ \$280.00	\$280.00
			<b>TOTAL</b>	<b>\$3,132.00</b>

The Commissioner of Patents and Trademarks is hereby authorized to charge payment of any additional filing fees or any patent application processing fees associated with this communication or to credit any overpayment relating to this matter to Deposit Account No. 501527.

Applicants request that this Response be fully considered and entered into the record of the above-identified patent application.

Respectfully submitted,

Date: 3/11/02

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/992,488	11/06/2001	Juan A. Vergez	PHUS-58

24039  
INNOVAR, LLC  
P O BOX 250647  
PLANO, TX 75025

CONFIRMATION NO. 5176

## FORMALITIES LETTER



\*OC000000007211164\*

Date Mailed: 12/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$4276.
  - \$3492 for 194 total claims over 20.
  - \$504 for 6 independent claims over 3.
  - \$280 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 5146.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/01/2002 NH010H01 00000036 05592466

740.00 \$  
1944.00 \$  
168.00 \$  
280.00 \$  
130.00 \$

01 FC:101  
02 FC:103  
03 FC:102  
04 FC:104  
05 FC:105